



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5288

Introduced 2/3/2010, by Rep. Mike Bost

SYNOPSIS AS INTRODUCED:

5 ILCS 120/1.02

from Ch. 102, par. 41.02

5 ILCS 120/1.03 new

Amends the Open Meetings Act. Provides that communications by and among community college trustees on an Internet blog do not constitute a meeting under certain circumstances.

LRB096 16333 JAM 31595 b

1 AN ACT concerning government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Open Meetings Act is amended by changing
5 Section 1.02 and by adding Section 1.03 as follows:

6 (5 ILCS 120/1.02) (from Ch. 102, par. 41.02)

7 Sec. 1.02. For the purposes of this Act:

8 "Meeting", except as provided in Section 1.03, means any
9 gathering, whether in person or by video or audio conference,
10 telephone call, electronic means (such as, without limitation,
11 electronic mail, electronic chat, and instant messaging), or
12 other means of contemporaneous interactive communication, of a
13 majority of a quorum of the members of a public body held for
14 the purpose of discussing public business or, for a 5-member
15 public body, a quorum of the members of a public body held for
16 the purpose of discussing public business.

17 Accordingly, for a 5-member public body, 3 members of the
18 body constitute a quorum and the affirmative vote of 3 members
19 is necessary to adopt any motion, resolution, or ordinance,
20 unless a greater number is otherwise required.

21 "Public body" includes all legislative, executive,
22 administrative or advisory bodies of the State, counties,
23 townships, cities, villages, incorporated towns, school

1 districts and all other municipal corporations, boards,
2 bureaus, committees or commissions of this State, and any
3 subsidiary bodies of any of the foregoing including but not
4 limited to committees and subcommittees which are supported in
5 whole or in part by tax revenue, or which expend tax revenue,
6 except the General Assembly and committees or commissions
7 thereof. "Public body" includes tourism boards and convention
8 or civic center boards located in counties that are contiguous
9 to the Mississippi River with populations of more than 250,000
10 but less than 300,000. "Public body" includes the Health
11 Facilities and Services Review Board. "Public body" does not
12 include a child death review team or the Illinois Child Death
13 Review Teams Executive Council established under the Child
14 Death Review Team Act or an ethics commission acting under the
15 State Officials and Employees Ethics Act.

16 (Source: P.A. 95-245, eff. 8-17-07; 96-31, eff. 6-30-09.)

17 (5 ILCS 120/1.03 new)

18 Sec. 1.03. Community college trustee blogs. Communications
19 on an Internet blog by members of the board of trustees of a
20 community college subject to the Public Community College Act
21 that otherwise constitute a meeting subject to this Act do not
22 constitute a meeting subject to this Act when:

23 (1) the Internet blog is freely accessible by the public;

24 (2) during a session of communications by and among the
25 community college trustees that otherwise would constitute a

1 meeting subject to this Act, the Internet blog permits
2 communications by and among only current trustees of the
3 community college board and no other person; and

4 (3) notice of a communication session available to trustees
5 of the community college board has been posted on the blog and
6 on the community college's official website, if any, at least
7 24 hours before the session begins.